

**BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD**

IN THE MATTER OF:

Brady Curtis

Certification No. 07-0269-P

MISCONDUCT:

On April 16, 2011, the Respondent and two colleagues, while off duty, were drinking beer in a liquor establishment and got involved in a verbal confrontation with three unruly bar patrons who recognized the Respondent and the other off duty police officers. The confrontation continued outside the bar, where it was overheard by a witness, the Respondent made inappropriate insulting remarks toward the mentioned bar patron.

A subsequent administrative investigation, concerning the incident, resulted in one co-worker being terminated for untruthfulness. The Respondent and remaining co-worker resigned their positions. At the start of the investigation, the Respondent and one of the colleagues involved were individually told not to discuss any phase of the investigation between them or anyone else not privileged to such information. When inconsistencies between the Respondent and the colleague's interviews were pointed out to them, they both admitted discussing the investigation interviews between themselves and with others not privileged to such information and lying about it. The Respondent also lied when he denied using insulting language directed toward the unruly bar patron, he later admitted that he had verbalized derogatory remarks directed at the unruly bar patron.

TIME LINE: Respondent was served with a NCA on or around August 31, 2012, Mr. Curtis responded in writing. The Director served a Stipulated Order of Suspension on or around September 28, 2012 and Mr. Curtis agreed and signed the Order.

Director's Recommendation – Approve Stipulated Order of Suspension

4 month suspension; and 1 year probationary period; and to also attend a Law Enforcement Course in Ethics

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

**BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD**

IN THE MATTER OF:

Charles Dudley

Certification No. 95-011-P

MISCONDUCT:

On May 5, 2011, the Lea County Sheriff's Department (LCSD) initiated an investigation into allegations that on April 22, 2011, Sergeant Dudley, of the Eunice Police Department (EPD), shot and killed two wild turkeys while on Duty. As a result of the LCSD investigation, it was found that Sergeant Dudley had mishandled evidence or property and improperly disposed of it. The act occurred when he took control of an item under color of law, and subsequently transferred it to his personal control and use. Mr. Dudley was demoted by his employing agency, and received a five (5) day suspension.

TIME LINE: Respondent was served with a NCA on or around August 27, 2012, Mr. Dudley responded and requested an Informal Hearing. The hearing was scheduled for September 17, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension
4 month suspension; and 1 year probationary period;

Accepted _____ Rejected ✓

If rejected, Board's Recommendation Cautionary letter w/ 1 yr probation

**BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD**

IN THE MATTER OF:

Jonathan Gutierrez

Certification No. 10-0005-P

MISCONDUCT:

On March 1, 2012, the Respondent was terminated from the Dona Ana County Sheriff's Department for numerous infractions. The incident involved Mr. Gutierrez' demeanor when confronted by a security officer and Sunland Park Police Officers in the parking lot of the Sunland Park Casino where the Respondent was observed by a security officer throwing a beer bottle at a parked vehicle; the bottle hit the window of said vehicle. The Respondent made insinuating threats toward the security officer and repeatedly stated he was a Dona Ana County Deputy Sheriff. The Respondent appeared to be intoxicated, he was issued a citation along with a "Casino Trespass/Exclusion Notice" for consuming alcohol outside the casino and for causing damage to customer property. The other infractions mentioned appeared to be policy violations.

TIME LINE: Respondent was served with a NCA on or around July 16, 2012, Mr. Gutierrez responded and requested an Informal Hearing. The hearing was scheduled for August 9, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

4 month suspension; and 1 year probationary period; and to attend and complete alcohol screening

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

If rejected, Board's Recommendation _____

**BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD**

IN THE MATTER OF:

Jeremy Hollier

Certification No. 07-0179-P

MISCONDUCT:

On March 4, 2012, the Respondent and his wife were involved in a verbal dispute at which time the Respondent allegedly grabbed Mrs. Hollier around her neck with both hands and choked her. The dispute began at the couple's residence when Mrs. Hollier had gone into the Respondent's bedroom to discuss details of a divorce. The Respondent was subsequently placed under arrest and was charged with a felony of Domestic Violence-Aggravated Battery on a Household Member. The District Attorney's Office declined prosecution. The Respondent was given a 160-hour suspension served in two 80-hour blocks, by his employing agency.

TIME LINE: Respondent was served with a NCA on or around July 27, 2012, Mr. Hollier responded and requested an Informal Hearing. The hearing was scheduled for August 15, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

4 month suspension; 1 year probationary period; to attend and complete anger management counseling; and to attend and complete a Law Enforcement Course in Ethics

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

If rejected, Board's Recommendation

**BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD**

IN THE MATTER OF:

John Lytle

Certification No. 98-0120-P

MISCONDUCT:

On March 15, 2012, the Respondent was notified by his parents that his residence was being burglarized. The Respondent and his supervisor departed from a training program to follow up on the burglary call. While traveling towards the Respondent's residence, they observed a vehicle matching the description given to the Respondent by his parents. The Respondent's supervisor conducted a traffic stop of the subject's vehicle. The subjects, a male and female, were confronted by the Respondent. After questioning the female subject, the Respondent turned toward the male subject who was sitting on the curb and kned him in the face and punched him several times in the stomach and facial area. The Respondent was enraged and continued the assault on the subject by pushing the subject's face on the dirt and at the same time yelling and screaming and making verbal death threats to the subject and to his family. The assault was witnessed by other people, including an officer who arrived at the scene and witnessed the Respondent holding the male subject by the arm and yelling and jerking him around and also saw the Respondent hit the subject in the back of the head. The officer who had arrived at the scene, placed the subject in the rear of his police unit and while gathering information from the supervisor, the officer observed the Respondent remove the male subject from the rear of his police unit and place him on the ground and kick him on the lower part of his body.

The abusive behavior by the Respondent was also witnessed by a female person walking in the area and reported the incident to the police which led to an internal investigation into the matter of excessive use of force. During the internal investigation, the Respondent admitted acting inappropriately when he confronted the subjects involved in the burglary at his residence. As a result the Respondent was terminated from employment.

TIME LINE: Respondent was served with a NCA on or around July 13, 2012, Mr. Lytle responded in writing. The Director served a Stipulated Order of Suspension on or around August 9, 2012 and Mr. Lytle agreed and signed the Order.

Director's Recommendation – Approve Stipulated Order of Suspension

9 month suspension; 1 year probationary period; to attend and complete a Law Enforcement Course in Ethics; to attend and complete anger management counseling; and to complete 8 hours of community service

Accepted _____ Rejected ✓

If rejected, Board's Recommendation

Rejection

If rejected, Board's Recommendation

If rejected, Board's Recommendation _____

If rejected, Board's Recommendation

**BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD**

IN THE MATTER OF:

Jon Perez

Certification No. 02-0085-P


MISCONDUCT:

On July 24, 2011, a supervisor was informed that on the previous day, the Respondent and his girlfriend/coworker had been involved in a domestic dispute which led to a physical altercation between the two. After drinking at a party the Respondent went to his girlfriend's house at 4:30am, while there he ate and fell asleep. While the Respondent slept, the girlfriend gained access to the Respondent's personal cell phone where she found text messages and images that upset her. She then went into the bedroom where the Respondent was asleep to wake him up, she claimed she did so by hitting the Respondent open handed on the stomach with both hands in a shoving motion. The Respondent claims that he was awakened by the girlfriend, first being struck on the face followed by what he described felt like hammer blows to the chest area. After confronting him about the text messages, and trying to hit him the Respondent pushed his girlfriend, (who was on top of him) and she then threw his cell phone and he reacted by grabbing her by the neck. Criminal charges were not filed by the DA's office.

TIME LINE: Respondent was served with a NCA on or around August 16, 2012, Mr. Perez responded and requested an Informal Hearing. The hearing was scheduled for September 6, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

6 month suspension; 1 year probationary period; to attend and complete a Law Enforcement Course in Ethics

Accepted _____  _____ Rejected _____

If rejected, Board's Recommendation _____

**BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD**

IN THE MATTER OF:

Juan A. Saucedo

Certification No. 10-0011-P

MISCONDUCT:

On July 2, 2011, the Respondent advised Sergeant Franco that he was ill and needed to utilize sick leave. Officer Saucedo allegedly drove to a bar in El Paso in full uniform and picked up a female at a local bar in which a domestic violence incident was later reported. On July 6, 2011, Officer Saucedo was arrested by the Dona Ana County Sheriff's Department and a Criminal Complaint was filed. On January 22, 2011, Officer Saucedo was being held on a One Hundred Thousand Dollar (\$100,000) Bond, for charges of Criminal Sexual Penetration (Force of Coercion), Aggravated Assault against a Household Member (deadly weapon), Bribery of a Witness (Threats)(False Testimony), Battery Against a Household Member (2 Counts), Interference with Communications. Officer Saucedo was found by his employer to be in violation of several Standard Operating Procedures Rules and Regulations.

Officer Saucedo was terminated from the Sunland Park Police Department. The criminal case is still pending in District Court awaiting disposition.

TIME LINE: Respondent was served with a NCA on or around July 2, 2012, Mr. Saucedo responded and requested an Informal Hearing. The hearing was scheduled for August 16, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

6 month suspension; 1 year probationary period; to attend and complete anger management counseling

Accepted _____ Rejected ✓

If rejected, Board's Recommendation

Revocation

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Filiberto Sigala

Certification No. 01-0394-P

MISCONDUCT:

On May 9, 2012, Officer responded to an assistance call involving domestic violence perpetrated by the Respondent against his wife/victim who was at a friend's house where the assault took place. The Respondent, uninvited and without permission, entered said residence and began to verbally assault his wife accusing her of infidelity. The Respondent removed a phone charger, some money, and an EBT card from his wife's purse. The victim kept telling the Respondent to get out of the house but he refused. The Respondent exited the residence through the front door the victim followed him because she was afraid that he would damage her vehicle. While outside the residence, the argument continued and turned physical when the Respondent struck the victim on the right side of her face with his left hand. The Respondent was arrested and charged with Aggravated Battery and False Imprisonment and as a result, was terminated by his employer on July 19, 2012.

TIME LINE: Respondent was served with a NCA on or around August 20, 2012, Mr. Sigala responded and requested an Informal Hearing. The hearing was scheduled for September 25, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension
4 month suspension; and 1 year probationary period

Accepted _____ Rejected ✓

If rejected, Board's Recommendation Revocation

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Dario Solis

Certification No. 04-0237-P

MISCONDUCT:

On April 10, 2012, the Las Cruces Police Department initiated an internal investigation suspecting that the Respondent was asleep on the job and failed to answer dispatch on his police radio for service calls while on duty on April 4, 2012. The investigation focusing on the Respondent's activities for April 4, 2012, proved to be inconclusive and did not sustain the suspicious activity mentioned above. However, during the inquiry other information surfaced pertaining to the Respondent found sleeping inside his police unit while on duty. During the ongoing investigation when the Respondent was untruthful when questioned by the Internal Affairs Investigator, he denied ever sleeping while on duty but later on admitted to his commander that he has fallen asleep in his patrol unit while on duty.

TIME LINE: Respondent was served with a NCA on or around July 16, 2012, Mr. Solis responded and requested an Informal Hearing. The hearing was scheduled for August 3, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

4 month suspension; 1 year probationary period; and 8 hours of community service

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Robby Trujillo

Certification No. 10-0086-PS

MISCONDUCT:

On May 12, 2012, at approximately 2:30am, an Albuquerque Police Officer on patrol observed a vehicle being driven in a careless manner that appeared to be traveling at a high rate of speed and making a sudden stop at a stop sign with $\frac{3}{4}$ of the vehicle past the stop sign. The patrol officer conducted a traffic stop and approached the driver/Respondent who displayed signs of intoxication reeking of alcohol. When questioned, the Respondent admitted to the officer that he had consumed two beers two hours prior to being stopped. The Respondent was asked to submit to a field sobriety test and failed, he was placed under arrest and charged with Driving While Intoxicated. A subsequent breath test was administered on the Respondent which registered a BAC of over .08.

TIME LINE: Respondent was served with a NCA on or around July 14, 2012, Mr. Trujillo responded and requested an Informal Hearing. The hearing was scheduled for August 9, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

3 month suspension; 1 year probationary period; and attend and complete alcohol screening

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Alfredo Turrieta, Jr.

Certification No. 98-0155-P

MISCONDUCT:

On April 17, 2012, the Respondent was involved in a vehicle collision at an intersection in Rio Rancho, NM. The Respondent was text messaging and inattentive when his sheriff's car rear ended a vehicle stopped at a traffic signal causing moderate damage to the vehicle. The Sheriff's unit sustained heavy front end damage requiring tow service. When questioned by the crash board, the Respondent denied texting prior to the collision and denied having his cell phone in his possession on that date. A co-worker contradicted that statement and confirmed that the Respondent had indeed been texting her prior to the collision and continued texting her and even sent her a photo of the collision approximately five minutes after it happened. When confronted with this information, the Respondent admitted texting while driving before and after the collision.

TIME LINE: Respondent was served with a NCA on or around August 30, 2012, Mr. Turrieta responded and requested an Informal Hearing. The hearing was scheduled for September 20, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

4 month suspension; 1 year probationary period; and attend and complete a Law Enforcement Course in Ethics

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Jason D. Waller

Certification No. 98-0200-P

MISCONDUCT:

On December 3, 2011, the Respondent was involved in a dispute with his estranged wife, the incident developed after the Respondent knocked on the estranged wife's door, when she answered he walked inside and encountered the estranged wife's boyfriend. The Respondent told the boyfriend to leave the apartment but he refused. An argument ensued between the Respondent and the boyfriend causing the estranged wife to get between the Respondent and her boyfriend to avoid physical contact between them. The Respondent was asked to leave. The Respondent was charged by the Carlsbad Police Department on four counts: Battery on a household member, assault, use of telephone to harass an criminal trespass. All charges have been dismissed.

TIME LINE: Respondent was served with a NCA on or around July 18, 2012, Mr. Waller responded and requested an Informal Hearing. The hearing was scheduled for August 8, 2012, as a result a Stipulated Order of Suspension was agreed upon.

Director's Recommendation – Approve Stipulated Order of Suspension

2 month suspension; 1 year probationary period; and attend and complete anger management counseling

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Michelle Flores

Certification No. 08-0080-PST

MISCONDUCT:

Between May 15, 2012 and June 4, 2012, in Luna County, New Mexico, the Respondent is alleged to have unlawfully and intentionally released information gained through the Crime Stopper program relating to criminal activity and contents of records and reports that are confidential. Based on the allegations, a misdemeanor criminal complaint was filed in Luna County Magistrate Court.

TIMELINE: Respondent was served with a NCA on or around September 7, 2012, the Respondent responded in writing. A Stipulated Order was served on the Respondent on or around September 28, 2012, which she agreed to and signed.

Director's Recommendation – Approve Stipulated Order of Suspension

6 months suspension, 1 year probation and complete a Law Enforcement Course in Ethics

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Clarissa Baca

Certification No. 07-0002-P

MISCONDUCT:

On January 29, 2012, the Respondent was observed driving erratically by making a sudden traffic lane change without signaling and driving the vehicle without the headlamps on. The arresting officer initiated a traffic stop and noticed that the Respondent displayed signs of intoxication and smelled of alcohol. The Respondent submitted to a field sobriety test which confirmed impairment; therefore, she was arrested and charged with Driving While under the influence of Intoxication liquor. An Alcohol Analyzer was subsequently administered on the Respondent which revealed 0.12 alcohol content on the Respondent's system.

TIMELINE: Respondent was served with a NCA on or around July 12, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 6, 2012, and has agreed to a Stipulated Order of Suspension.

Director's Recommendation – Approve Stipulated Order of Suspension

4 months suspension, 1 year probation and complete and provide proof of an alcohol screening

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Danny Surratt

Certification No. 75-0822-P

MISCONDUCT:

On August 31, 2010 charges were filed against the Respondent with the Lea County Magistrate Court, for 1st and 2nd degree felony criminal charges of sexual contact of a minor, 3rd degree charges of criminal sexual penetration of a minor, and 2nd degree felon, attempt to commit a felony for intimidation of a witness. On September 3, 2010, the case was transferred to Fifth Judicial District Court, Lea County, New Mexico, and is still pending disposition.

INFORMAL HEARING: Respondent was served with a NCA on or around June 4, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 6, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to the NCA and the NFD

→ *Changed to Voluntary
Relinquishment*

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

If rejected, Board's Recommendation

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Xavier D. Tapia

Certification No. 86-0066-P

MISCONDUCT:

On December 1, 2011, the Respondent contacted the Chief of Police where he was employed and informed the Chief that he had been secretly having an extra marital affair for the last three years and had recently ended the relationship. Later, the ex-mistress contacted a supervisor at the agency the Respondent was employed and also informed the supervisor that she had an ongoing relationship with Respondent for the past five years. The female disclosed a photograph of the Respondent exposing himself while in police uniform, taken in front of his assigned police unit. Besides posing online as swinger, the female alleged that the Respondent was posing for pictures both on duty and off duty exposing his genitalia. The female also informed the supervisor that during her relationship with the Respondent he took her to his residence and showed her child pornography on his computer involving a child between ages of three to five years old performing oral sex on an adult male person. This information was relayed to the NM State Police for follow-up investigation. The investigation conducted by the Criminal Bureau of the NMSP could not determine the validity of child pornography, since there was nothing on the Respondent's confiscated computer, to indicate otherwise. The Respondent resigned his position on December 4, 2011.

TIME LINE: Respondent was served with a NCA on or around August 27, 2012, Mr. Tapia responded in writing and indicated in his response that he would voluntarily relinquish his Law Enforcement Certification.

Director's Recommendation – Ratify Voluntary Relinquishment

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

If rejected, Board's Recommendation

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Walter Drutok

Certification No. 05-0134-P

MISCONDUCT:

On January 29, 2009, the Respondent's wife's vehicle was rear ended by pickup truck which was witnessed by the Respondent who was a short distance away when the traffic crash occurred. The Respondent approached the victim/driver of the truck and identified himself as a police officer. The Respondent then got into a confrontation with the truck driver/victim and without provocation battered the victim by punching him numerous times on the face and head area. The Respondent then pulled the victim from the vehicle and continued to batter the victim until police arrived. An investigation into the assault was conducted. The Respondent resigned his position before being terminated.

The Respondent was also involved in a separate incident, involving an arrest made by the Respondent, of a suspected mentally disturbed person and transported said person to a mental facility of reevaluation where he was detained for approximately 12 ½ hours and released. The detainee claimed that he was unjustifiably detained by the Respondent without cause and without permission and felt that the Respondent was harassing him. The Respondent failed to document the incident until two months later and only after an investigation revealed the incident had not been documented as required through a written police report.

INFORMAL HEARING: Respondent was served with a NCA on or around May 19, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around July 1, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to NCA and NFD

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Ellen M. Gonzales

Certification No. 11-0011-PST

MISCONDUCT:

On January 10, 2011, the Respondent's supervisor was informed that the Respondent had unlawfully queried wants and warrants through NCIC. After receiving this information, the supervisor checked the NCIC trash bin and located two unauthorized queries that had been run through NCIC on January 7, 2011 by the Respondent on her alleged present and former boyfriends. This is considered a major misuse violation of the operating procedures for Telecommunicators. The Respondent is also accused of causing issues and uncomfortable situations with other employees by her inappropriate behavior in the work environment such as flirting with officers.

INFORMAL HEARING: Respondent was served with a NCA on or around July 10, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 6, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to NCA and NFD

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Joshua Griggs

Certification No. 07-0271-P

MISCONDUCT:

On April 16, 2011, the Respondent and two colleagues, while off duty, were drinking beer in a liquor establishment and got involved in a verbal confrontation with three unruly bar patrons who recognized the Respondent and the other off duty police officers. The confrontation continued outside the bar.

A subsequent administrative investigation, targeting the Respondent and one of his colleagues, was initiated and the Respondent and his colleague were made aware that they were not to discuss any particulars of the ongoing investigation with their colleagues or with anyone else, except with those privileged to such information. The Respondent acknowledged that he understood and would comply. The Respondent was asked on several occasions during the active investigation if he had discussed the case with any of his colleagues or anyone not privileged to the information, in which he always responded no. Later in the investigation the Respondent admitted being untruthful when questioned about discussing some aspects of the investigation with his colleague, who was being investigated for the same incident. The Respondent also admitted being untruthful on another matter pertaining to being asked by management to assist in escorting unruly person outside from the inside the business establishment where the verbal confrontation in question occurred. The Respondent was terminated on August 5, 2011.

INFORMAL HEARING: Respondent was served with a NCA on or around July 26, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 17, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to NCA and NFD

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Joshua Jacobs Herrera

Certification No. 10-0074-PST

MISCONDUCT:

On May 29, 2010, the Respondent was hired as a Telecommunicator in the State Police office in Espanola, New Mexico. Before being hired, the Respondent had filled out an application for employment and indicated that he had graduated from Santa Fe High School (SFHS) in 2009. The Respondent produced a copy of a High School Diploma and based on the information he provided on the application, he was allowed to attend and complete the TTY Dispatcher Training Course. It was later ascertained that the Respondent had used a fake diploma when he applied for employment with the State Police Office in Espanola. According to a school official in charge of records at SFHS, there is no record at SFHS showing that the Respondent graduated from there in 2009 or any other time.

INFORMAL HEARING: Respondent was served with a NCA on or around July 2, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around July 1, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation

Respondent failed to respond to NCA and NFD

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Robert J. Holguin

Certification No. 07-0121-P

MISCONDUCT:

On February 16, 2012, the Respondent while on duty, conducted a traffic stop for speeding and learned that the female driver had an outstanding warrant for her arrest. When en route to the detention center, the Respondent stopped his unit and had sexual intercourse with the female. He transported her to the detention center for incarceration. On April 3, 2012, Captain Harvill met with the Respondent because the female had complained that the Respondent kept texting her and she wanted him to stop. At the time, the Respondent admitted he had been texting her and would stop; he also admitted to the sexual act that took place in his assigned police unit. The Respondent resigned on April 3, 2012.

INFORMAL HEARING: Respondent was served with a NCA on or around May 24, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around July 3, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation

Respondent failed to respond to NCA and NFD

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Matthew Kindle

Certification No. 96-0186-P

MISCONDUCT:

On August 17, 2011, the Respondent was arrested on a felony charge of demanding or Receiving a Bribe by Public Officer or Public Employee.

INFORMAL HEARING: Respondent was served with a NCA on or around March 16, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around July 17 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to NCA and NFD

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Rudolfo Q. Lopez

Certification No. 99-0298-P

MISCONDUCT:

On June 20, 2011, a Criminal summons was issued ordering the Respondent to appear in the Third Judicial District Court in Dona Ana County to answer five felony charges filed by the District Attorney's office charging the Respondent with the following crimes: Forgery 2 counts (Over \$2,500), 2 counts Forgery, and Conspiracy to Commit Forgery. These charges were lodged against the Respondent after the New Mexico State Police received information of possible embezzlement committed by the Respondent and his wife from a company where his wife was employed. The investigation revealed that both, Respondent and his wife, did with intent to injure, deceive or cheat, the company, gave or delivered checks knowing to be false writing or contain false signature or endorsement or be changed so that the effects were different from the original or genuine amounts. The Respondent was placed on administrative leave on April 19, 2011 and resigned his position on May 6, 2001.

INFORMAL HEARING: Respondent was served with a NCA on or around April 19, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 7 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation

Respondent failed to respond to NCA and NFD

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Joshua S. Lucero

Certification No. 03-0064-P

MISCONDUCT:

On May 20, 2011, the Respondent was terminated from the Santa Fe County Sheriff's Office for untruthfulness by falsifying vehicle maintenance preventive service reports by knowingly logging incorrect mileage in an apparent attempt to disguise lack of preventive maintenance on his assigned police unit. The Respondent had previously been warned and disciplined by his supervisors for not complying with established directions requiring vehicle maintenance every 3,000 miles. This and other similar incidents, pertaining to vehicle maintenance, led to the termination of the Respondent, who was on probationary Status at that time.

INFORMAL HEARING: Respondent was served with a NCA on or around June 29, 2012, the Respondent failed to respond. The Respondent requested an Informal Hearing, which was held on July 27, 2012. The Respondent denied the allegations mentioned in the NCA, but agreed to a Stipulated Order of Suspension; however, he has not yet signed the Stipulated Order. The Respondent was served a Notice of Final Decision on or around August 31, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation

Respondent failed to return a signed Stipulated Order of Suspension and respond to the NFD

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Daniel D. Markham

Certification No. 09-0076-P

MISCONDUCT:

On April 3, 2012, it was reported to the Chief of the Tularosa Police Department that the Respondent was having an inappropriate relationship with a client of Children Youth and Families Division. During an investigation of the relationship it was revealed that the Respondent was maintaining an ongoing intimate relationship with a person he had arrested pursuant to warrants for felony child abuse. The Respondent resigned his position on May 7, 2012.

INFORMAL HEARING: Respondent was served with a NCA on or around June 5, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 24, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation

Respondent failed to respond to the NCA and the NFD

Accepted ✓ Rejected _____

If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Eddi J. Martinez

Certification No. 10-0048-PST

MISCONDUCT:

On June 30, 2010 a complaint was filed against the Respondent for failure to report a pending investigation for fraud. On January 6, 2011 a Criminal complaint was filed against the Respondent in Fourth Judicial District Court, for five counts of Failure to disclose facts to obtain public assistance, and twelve counts for False Claim for Reimbursement. The Respondent was terminated from the NMSP Las Vegas district as radio dispatch. The Order of conditional discharge along with a Plea and Disposition Agreement was entered in the Fourth Judicial District Court. On June 7, 2011, the Respondent Pled guilty to Count I: Failing to Disclose Facts of Change of Circumstances to Obtain Public assistance; and count II: Failing to Disclose Facts of change of Circumstances to Obtain Public Assistance, a third degree felony.

INFORMAL HEARING: Respondent was served with a NCA on or around July 12, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 6, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to the NCA and the NFD

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Noah T. Pestak

Certification No. 11-0046-P

MISCONDUCT:

Around May 26, 2012 the Truth or Consequences Police Department was made aware that the New Mexico State Police was conducting a criminal investigation against one of their officers (the Respondent). The focal point of the investigation involved allegations of Criminal Sexual Penetration and Criminal Sexual Contact of a Minor. The victim was identified as a fifteen year old pregnant female who claimed that the Respondent was the father of her yet to be born child. The victim revealed to her father that she had consensual sexual intercourse with the Respondent on several occasions. The victim indicated that she first met the Respondent in July of 2011 when the Respondent was a Sierra County Deputy Sheriff. At that time the victim had been reported as a runaway from home and the Respondent located her in a vehicle with some friends and took her home. The Respondent resigned his law enforcement position with the T or C Police Department.

INFORMAL HEARING: Respondent was served with a NCA on or around July 5, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 13, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to the NCA and the NFD

Accepted _____ Rejected _____
If rejected, Board's Recommendation _____

BEFORE THE NEW MEXICO
LAW ENFORCEMENT ACADEMY BOARD

IN THE MATTER OF:

Virgil J. Sandoval

Certification No. 09-0126-PST

MISCONDUCT:

On February 8, 2012, a patrol officer observed a vehicle parked in the middle of the road with the engine running; and upon checking the vehicle discovered the Respondent was passed out inside the vehicle. The investigating officer detected a strong odor of an alcoholic beverage emanating from inside the vehicle. The Officer made several attempts to wake up the Respondent by knocking on the driver's side window but the Respondent did not respond. The officer was able to open the door and noticed two unopened wine bottles between the Respondent's legs. The Respondent finally woke up and attempted to shift the gear but was prevented from doing so by the officer turning off the ignition. The Respondent displayed signs of intoxication and was placed in custody and charged with Aggravated Driving While Intoxicated. The Respondent registered a BAC of .24 and .23 on consecutive breath tests. The Respondent resigned his position with the Socorro Police Department.

INFORMAL HEARING: Respondent was served with a NCA on or around July 5, 2012, the Respondent failed to respond. The Respondent was served a Notice of Final Decision on or around August 6, 2012, the Respondent responded failed to respond.

Director's Recommendation – Default Order of Revocation
Respondent failed to respond to the NCA and the NFD

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

If rejected, Board's Recommendation

Accepted ✓ Rejected _____
If rejected, Board's Recommendation _____

If rejected, Board's Recommendation

If rejected, Board's Recommendation

If rejected, Board's Recommendation

If rejected, Board's Recommendation _____

If rejected, Board's Recommendation

If rejected, Board's Recommendation

If rejected, Board's Recommendation

If rejected, Board's Recommendation